United Nations ST/AI/1999/16

Secretariat

28 December 1999

Administrative instruction

Termination of appointment for reasons of health*

The Under-Secretary-General for Management, pursuant to section 4.2 of Secretary-General's bulletin ST/SGB/1997/1 and for the purpose of implementing staff regulation 9.1 (a) and (b), hereby promulgates the following:

Section 1
Definition

For the purposes of the present administrative instruction and in accordance with article 33 (a) of the Regulations of the United Nations Joint Staff Pension Fund (UNJSPF), "incapacity" shall mean "incapacity for further service reasonably compatible with a staff member's abilities, due to injury or illness constituting an impairment to health which is likely to be permanent or of long duration".

Section 2
Conditions for termination for reasons of health

For a staff member's appointment to be terminated for reasons of health under staff regulation 9.1 (a) or (b), the staff member's incapacity must be established by conclusive medical evidence that results in the award of a disability benefit under the UNJSPF Regulations.

Section 3
Procedure

3.1 When a staff member has used all his or her entitlement to sick leave with full pay, the executive or local personnel office shall bring the situation to the attention of the Medical Director or designated medical officer in order to determine whether the staff member should be considered for a disability benefit under article 33 (a) of the UNJSPF Regulations, while the staff member is on sick leave with half pay.

3.2 If the medical conclusion is that the staff member's illness or injury constitutes an impairment to health which is likely to be permanent or of long duration, the Medical Director or designated medical officer shall so advise the relevant human resources officer at Headquarters or the local personnel office for notification to the staff member or, where appropriate, to a member of the staff member's family. If the staff member disagrees with the medical conclusion, he or she may request a review of the matter by an independent medical practitioner or a medical board. The independent medical practitioner or medical board shall be selected in the same manner as provided in staff rule 106.2 (j) or (k), as appropriate, for review of decisions on sick leave.

3.3 Where the conclusion by the Medical Director or designated medical officer is either not contested by the staff member or is confirmed by the independent medical practitioner or medical board selected to review the matter, the relevant human resources officer at Headquarters or the local personnel office shall submit as soon as possible a request to the United Nations Staff Pension Committee ("the Committee") for the award to the staff member of a disability benefit. This request shall be in the form set out in the annex to the present instruction.

3.4 The Committee will determine whether the staff member is incapacitated within the meaning of article 33 (a)

* *Personnel Manual* index No. 9030.

00-22356
99-40205 (E) 291299

of the UNJSPF Regulations and, if a positive determination is made, will award a disability benefit. The secretariat of the Pension Fund will notify the relevant human resources officer at Headquarters or the local personnel office and the staff member of the Committee's decision.

3.5 If the Committee has decided to award a disability benefit, a recommendation for the termination of the staff member's appointment for reasons of health under staff regulation 9.1 (a) or (b), as appropriate, shall be submitted as expeditiously as possible by the relevant human resources officer at Headquarters or the local personnel office for approval by the Assistant Secretary-General for Human Resources Management on behalf of the Secretary-General.

Section 4
Delay in determination

If the staff member's sick leave entitlement (at both full pay and half pay) and annual leave entitlement are exhausted because of delay in the medical determination of incapacity or in the Committee's decision, the staff member shall be placed on special leave with half pay in accordance with section 8.2 of ST/AI/1999/12 on family leave, sick leave and maternity leave, until the date of the Committee's decision.

Section 5
Notice and effective date of termination

Following approval of the termination of the staff member's appointment, the Office of Human Resources Management shall issue to the staff member the appropriate notice of termination under staff rule 109.3, 209.4 or 309.3. Separation from service shall take effect as of the date established in the notice of termination. Such date shall be determined as follows:

(a) If on the date of notice the staff member has a balance of sick leave that exceeds the period of notice prescribed in staff rule 109.3, 209.4 or 309.3, as appropriate, the effective date of separation will be the date on which the staff member will exhaust all his or her sick leave entitlements;

(b) If on the date of notice the staff member has a balance of sick leave that is less than the period of notice, the separation date will be the same as in subparagraph (a) above, but the notice will advise the staff member that compensation in lieu of notice will be paid to the extent that the balance of sick leave falls short of the period of notice;

(c) If on the date of notice the staff member has already exhausted all his or her sick leave entitlements and has been placed on special leave with half pay under section 4 of the present instruction, the separation will be effective on the date the notice is given. In this case, the notice will advise the staff member that compensation will be paid for the full period of notice.

Section 6
Final provision

The present administrative instruction shall enter into force on 1 January 2000.

(*Signed*) Joseph E. **Connor**
Under-Secretary-General for Management

Annex

Request for the Award of a Disability Benefit under article 33 of the UNJSPF Regulations*

To: Secretary, United Nations Staff Pension Committee

From: _____
(Name, title and signature of Requesting Officer)

_____
Organization/Department

Date: _____

Name of staff member:	
Home address:	
Date of employment (EOD date): (dd/mm/yyyy)	
Functional Title:	
Organization:	Duty Station:

Current status (Please check appropriate box and indicate effective date if applicable)

☐ On regular duty	☐ On sick leave	☐ On annual leave	☐ On special leave
☐ On light duty – Effective date: (dd/mm/yyyy)			
☐ On part-time duty: hours worked per day – Effective date: (dd/mm/yyyy)			

Record of sick leave and special leave taken (Please indicate actual or approximate dates)

☐ Sick leave on full pay	from:	to:
☐ Sick leave on half pay	from:	to:
☐ Estimated date of exhaustion of entitlements to sick leave on full pay and sick leave on half pay:		
☐ Estimated date of exhaustion of entitlement to annual leave:		
☐ Special leave on half pay	from:	to:

* Form to be used to request the United Nations Staff Pension Committee, in accordance with section 3.3 of ST/AI/1999/16, for award of disability benefit under article 33 of the Regulations of the United Nations Joint Staff Pension Fund. A copy of the report from the Medical Director on which this presentation is based should be attached, where practicable, in a sealed envelope marked "Confidential".

P.295(12-99)